

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

**DAVID LEE RILEY,
Defendant.**

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CRIMINAL ACTION 10-100-KD-C

ORDER

This matter is before the Court on a *sua sponte* review of the record.

On January 21, 2011, this Court sentenced Defendant David Lee Riley to a 60-month term of imprisonment for conspiring to possess crack cocaine with intent to distribute. (Doc. 95). Exactly 17 months later, on June 21, 2012, the United States Supreme Court held that the Fair Sentencing Act of 2010, which raised the quantities of crack cocaine required to trigger mandatory minimum penalties under 21 U.S.C. § 841(b)(1), applies to all defendants sentenced after the Act's effective date of August 3, 2010, even those whose conduct occurred before that date. Dorsey v. United States, Nos. 11-5683; 11-5721, 2012 WL 2344463 (U.S. June 21, 2012).

Trial counsel for the Defendant is hereby **ORDERED** to file on or before **Tuesday, July 24, 2012**, a brief that addresses whether, in light of Dorsey, Defendant may be entitled to any relief, and, if so, the procedural mechanism by which such relief may be obtained. The Government shall respond to Defendant's brief on or before **Tuesday, August 7, 2012**.

The Clerk is **DIRECTED** to send a copy of this Order to Defendant by U.S. Mail.

DONE and **ORDERED** this the 10th day of **July 2012**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE